



MR. JUSTICE
JUL 1 1987
19537

VIDEO WORLD LTD.

- and -

HER MAJESTY THE QUEEN

CORAM:

The Hon. Mr. Justice Beetz
The Hon. Mr. Justice McIntyre
The Hon. Mr. Justice Lamer
The Hon. Mme Justice Wilson
The Hon. Mr. Justice Le Dain
The Hon. Mr. Justice La Forest
The Hon. Mme Justice L'Heureux-Dubé

Appeal heard
June 4, 1987

Judgment rendered
—June 25, 1987

Reasons by the Court

Counsel at hearing

for the appellant
Robert Tapper

for the respondent
Wayne Myshkowski

VIDEO WORLD LTD.

- et -

SA MAJESTÉ LA REINE

CORAM:

L'honorable juge Beetz
L'honorable juge McIntyre
L'honorable juge Lamer
L'honorable juge Wilson
L'honorable juge Le Dain
L'honorable juge La Forest
L'honorable juge L'Heureux-Dubé

Appel entendu
le 4 juin 1987

Jugement rendu
le 25 juin 1987

Motifs par la Cour

Avocats à l'audience

pour l'appellant
Me Robert Tapper

pour l'intimée
Me Wayne Myshkowski

APPEAL from a judgment of the Manitoba Court of Appeal (1985), 36 Man. R. (2d) 68, 22 C.C.C. (3d) 331, allowing the Crown's appeal from an acquittal by Lismer Prov. Ct. J. (1985), 32 Man. R. (2d) 41 on the charge of unlawful circulation of an obscene video cassette and possessing a number of obscene video cassettes for the purpose of circulation. Appeal dismissed.

Robert Tapper, for the appellant.

Wayne Myshkowsky, for the respondent.

*Solicitors for the appellant: Wolch, Pinx, Tapper & Scurfield,
Winnipeg.*

Solicitor for the respondent: The Attorney General of Manitoba.

Citation

Référence

Trial: (1985), 32 Man. R. (2d) 41.

**Première instance: (1985), 32 Man.
R. (2d) 41.**

**Appeal: (1985), 36 Man. R. (2d) 68,
22 C.C.C. (3d) 331.**

**Appel: (1985), 36 Man. R. (2d) 68,
22 C.C.C. (3d) 331.**

video world ltd. v. the queen

Video World Ltd.

Appellant

v.

Her Majesty The Queen

Respondent

indexed as: r. v. video world ltd.

File No.: 19537.

1987: June 3; 1987: June 25.

Present: Beetz, McIntyre, Lamer, Wilson, Le Dain, La Forest and
L'Heureux-Dubé JJ.

on appeal from the court of appeal for manitoba

*Criminal law -- Obscenity -- Video cassettes -- Contemporary
community standards test applied.*

Held: The appeal should be dismissed.

Cases Cited

Applied: *Towne Cinema Theatres Ltd. v. The Queen*, [1985] 1 S.C.R.

SUPREME COURT OF CANADA

VIDEO WORLD LTD.

- and -

HER MAJESTY THE QUEEN

**CORAM: Beetz, McIntyre, Lamer, Wilson, Le Dain,
 La Forest and L'Heureux-Dubé JJ.**

THE COURT:

The appellant was charged before a Provincial Court Judge of Manitoba with unlawful circulation of an obscene video cassette and with possessing a number of obscene video cassettes for the purpose of circulation. The Provincial Court Judge entered an acquittal. This acquittal was reversed by the Manitoba Court of Appeal. This appeal comes to us as of right.

The principles applicable to the facts of this case have been set out in the judgment of this Court in *Towne Cinema Theatres Ltd. v. The Queen*, [1985] 1 S.C.R. 494. We are all of the view that, under those principles, this appeal fails and the conviction entered by the Manitoba Court of Appeal stands.